

REMARKS

In the Office Action mailed August 18, 2004, the Examiner noted that claims 1-10 were pending, objected to claims 2-9 and rejected claims 1 and 10. Claim 2 has been amended, and, thus, in view of the forgoing claims 1-10 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

In the Office Action the Examiner objected to claims 2-9 and indicated that these claims would be allowable if rewritten in independent form. These claims have been so rewritten and it is submitted that these claims have not been narrowed and have the same scope as prior to being made independent and are now allowable. Withdrawal of the objection is requested.

The Examiner has also objected to the specification, which has been amended in consideration of the Examiner's comments. Withdrawal of the objection is requested.

In the Action the Examiner required a new title and one has been provided in consideration of the Examiner's comments.

Page 3 of the Office Action rejects claims 1 and 10 under 35 U.S.C. § 103 over Bal and Yu.

Claim 1 provides a packet relay apparatus that relays a packet with the nodes on the inside of the apparatus and an IP network on the outside thereof. The packet relay apparatus is provided with a class processing unit, a send packet relay unit and a reply packet relay unit. The class processing unit classifies send packets to be relayed to the IP network, depending on the types of applications and make allocations of different virtual IP addresses (10. 1. 2) (10. 1. 3) on a class by class basis. The send packet relay unit translates a source address (10. 10. 10. 10) of the send packet to be relayed to the IP network into a classified virtual IP address (10. 1. 2. 10) or (10. 1. 3. 10), to establish classified IP communication paths in the IP network. The reply packet relay unit inversely translates the destination address (10. 1. 2. 10) or (10. 1. 3. 10) of a reply packet from the IP network through the classified IP communication paths into the original address (10. 10. 10. 10) by reference to the results of the address translation by the send packet relay unit.

In this manner, disposition of a single packet relay apparatus of the present invention on the communication paths enables different communication paths intended for the same destination to be used for different applications.

The portions of Bal noted by the Examiner describe a translation device 230 linking an internal network to an external network to provide translation between (External Port No.,

External IP Address) and (Internal Port No., Internal IP Address). The Examiner asserts that Bal has teachings corresponding to the translations recited in claim 1 of the source address into the virtual address and of the reply-destination virtual address into the source address. However, the invention of claim 1 differs from the teachings of Bal in that the invention does not use the internal address of Bal. In claim 1, upon the sending of the packet to the external network, the source IP address (10. 10. 10. 10) corresponding to the external IP address of the cited reference is translated into a virtual IP address. This is similar to Bal with respect to performing an address translation, but is quite different therefrom in the content of the address translation. Claim 1 emphasizes translating the external IP address into the virtual IP address when sending the packet to the external network, which is the opposite of Bal, which involves translating the internal IP address into the external IP address.

More specifically, since the source IP address of claim 1 is the external IP address of Bal, the virtual IP address of claim 1 corresponds to the internal IP address of Bal. Consequently, if the teachings of Bal are applied to claim 1, then the source IP address will be translated into an external IP address, which results in an address translation opposite from what is actually recited in claim 1. In other words, the features of claim 1 cannot be obtained from a combination of Bal with any other reference including Yu classifying the packets depending on the type of applications.

Yu adds nothing to Bal with respect to the distinctions over Bal discussed above.

Claim 10 provides similar features in the form of a method claim.

It is submitted that the invention of independent claims 1 and 10 distinguish over the prior art and withdrawal of the rejection is requested.

It is submitted that the specification and title satisfy the necessary requirements. It is also submitted that claims 2-9 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

Serial No. 09/714,295

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.


Respectfully submitted,

STAAS & HALSEY LLP

Date: _____

12/20/4

By: _____



J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501